

S E C R E T

28 December 1981

MEMORANDUM FOR: Robert M. Gates  
Director, DCI/DDCI Executive Staff

FROM: Stanley Sporkin  
General Counsel

SUBJECT: Weekly OGC Report for the DCI/DDCI

ITEMS OF MAJOR INTEREST - 19-24 December 1981

United States Supreme Court. A plaintiff had brought action in the U.S. Court of Claims to enforce an alleged espionage contract which she had with the CIA. The Agency moved to dismiss on the grounds that enforcement of such types of contract, which are inherently secret in nature, would be against public policy. The Court of Claims, agreeing with the Agency, dismissed the case, and plaintiff thereupon filed a petition for certiorari with the Supreme Court for review of the ruling. OGC has been advised that the Supreme Court has now denied this petition. The decision in this case is important, for it reaffirms the reluctance of the courts to intervene where matters of national security may be involved. (Mackowski v. United States). ☐

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